(3)

IN THE HIGH COURT OF JUDICATURE AT BILASPUR (C.G.)

WRIT PETITION NO. 22 OF 2003

BETWEEN

Sanjay Kumar Jain son of Shri Suredara Kumar Jain, aged about 38 years, occupation Sub Engineer (Civil) posted at Water Resource Department, Block Division Office Gorela, Water Resources Division Pendra Road, District Bilaspur.

PETITIONER

A N D

1. The State of Chhattisgarh, through the Secretary Department of Water Resources, Mantralay, D.K.S. Building, Raipur.

2. Engineer-in-Chief, Water Resources Department Raipur, Chhattisgarh Raipur.

3. Executive Engineer, Water Resources Division, Pendra Road.

4. The Superintending Engineer (Administration) Office of Engineer-in-Chief, Water Resources Department, Raipur.

RESPONDENTS

P.R. No. ... Presented by Shri ... dated ...

WRIT PETITION UNDER ARTICLES 226 /227 OF THE CONSTITUTION OF INDIA

(49)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक W.P. NO. 22 सन् 2003

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

20.1.2004

Shri Sunil Sahu, counsel for the petitioner.

State by Shri Rajesh Pandey, Government Advocate.

I.A No.145/03 for urgent hearing is allowed.

Heard.

The matter relates to the transfer. The petitioner has challenged the order of transfer order dated 20.12.2002 whereby he has been transferred to Dantewada from Pendra . The grievance of the petitioner is that he had joined at the place of his present posting i.e. Janpad Panchayat, Gaurella as a Sub-Engineer on 16.12.2002 and within a period of four days only he was transferred to Dantewada (South Bastar).

It is submitted that during the period of one year, 4 transfers have been effected, which are reflected in the copies orders annexed with the petition.

Learned counsel for the State submits that the petitioner was also serving at Satna (M.P), he was provisionally allocated to the State of Chhattisgarh and as a result of such allocation, these orders were passed on administrative exigencies. He further submits that the Pendra road and Gaurella are at the same place. Pendra Road is the station's name and the Gaurella is the name of city. He further submits that the order

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उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

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dated 20.12.2002 posting at Dantewara was also issued on administrative exigency.

Having considered the facts and circumstances of the case and material on record, ends of justice will be served if the petitioner is allowed to make a detailed representation to the competent authority/respondent no.2 within 15 days and on such representation being filed, the same shall be considered and decided by respondent no.2 as early as possible preferably within a period of two months after hearing the petitioner.

Petitioner submits that he has not been relieved from the present place of posting i.e., Gaurella and prays for stay of the impugned order dated 20.12.2002.

If the petitioner has not been relieved, he shall be allowed to continue at the present place of posting i.e. Gaurella till the decision of the representation.

This petition is disposed of with the direction/ observation aforesaid.

Consequently, M.W.P.33/2003 also stands disposed of.

C.C. as per rules.

Sd/-
Fakhruddin
Judge

-/Rao/

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